

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

The disclaimant, ARDENT PHARMACEUTICALS, INC., (previously named DELTA PHARMACEUTICALS, INC., recorded name change in the United States Patent and Trademark Office on June 04, 2001 at Reel 011855, Frame 0671) a North Carolina corporation having a principal place of business at P.O. Box 12278, Research Triangle Park, North Carolina 27709-2278, verifies through its duly authorized representative that it is the owner of all right, title and interest in the above-identified application, U.S. Patent Application No. 09/974,004, by Assignment recorded January 13, 1998 in the Assignment records of the Patent and Trademark Office at Reel 8925, Frame 0892 (4 pages).

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 5,807,858 issued September 15, 1998, which was assigned to the above-identified disclaimant by Assignment recorded June 5, 1996 in the Assignment records of the Patent and Trademark Office at Reel 8035, Frame 0493 (5 pages).

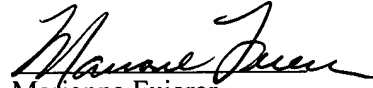
Disclaimant further agrees that any United States patent so granted on the above-identified application no. 09/974,004, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 5,807,858, this agreement to run with such patents and to be binding upon the grantee and its successors and assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified United States Patent Application No. 09/974,004 which is prior to the expiration of the full statutory term of United States Patent No. 5,807,858, in the event that United States Patent No. 5,807,858 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I, Marianne Fuierer, represent that I am the principal attorney of record in United States Patent Application No. 09/974,004 and am authorized to execute this disclaimer on behalf of Ardent Pharmaceuticals, Inc. I further declare that the evidentiary documents of ownership have been reviewed and I certify that, to the best of disclaimant's knowledge and belief, title is in the disclaimant seeking to take action.

I hereby declare that all statements of fact made herein are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marianne Fuierer", is written over the printed name.

Marianne Fuierer  
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